

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

TIC - THE INDUSTRIAL COMPANY )  
WYOMING, INC., and PIONEER )  
TRAIL ENERGY, L.L.C., )  
Plaintiffs, ) 4:10CV3153  
v. )  
FACTORY MUTUAL INSURANCE ) MEMORANDUM AND ORDER  
COMPANY, and IMA OF KANSAS, )  
INC., )  
Defendants.

IT IS ORDERED:

- 1) Defendants' unopposed Motion to Extend Certain Discovery Deadlines and for Entry of a Third Amended Progression Order, (filing no. 63), is granted, and the progression schedule is modified as follows:
  - a. Defendants' expert disclosures, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#))), shall be served on or before November 15, 2011;<sup>1</sup>
  - b. Non-expert fact discovery shall be completed by December 5, 2011;
  - c. Rebuttal expert disclosures shall be served on or before December 16, 2011;
  - d. Expert discovery shall be completed by January 16, 2012.
- 2) The telephonic status conference with the undersigned magistrate judge remains scheduled for November 7, 2011 at 9:00 a.m.
- 3) The defendants' motion to extend, (filing no. 62), is denied as moot.

September 26, 2011

BY THE COURT:

*s/ Cheryl R. Zwart*  
United States Magistrate Judge

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<sup>1</sup>Although this case was filed on August 6, 2010, all parties' expert disclosures shall comply with the amendments to Rule 26 of the Federal Rules of Civil Procedure, effective as of December 1, 2010: [Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)(retained experts), and [Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#) (non-retained experts).